

Docket No.
9261.16828-PCT US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INTEGRATED PUMP AND CANNULA SYSTEMS AND RELATED METHODS

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 14 JANUARY 2000 as United States Application No. or PCT International
Application Number PCT/US00/01095
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed
<u>PCT/US00/01095</u>	<u>PCT</u>	<u>14/JANUARY/2000</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

DANIEL D. RYAN (REG. NO. 29,243)
 JOSEPH A. KROMHOLZ (REG. NO. 34,204)
 JOHN M. MANION (REG. NO. 38,957)
 ALLAN O. MAKI (REG. NO. 20,623)
 DANIEL R. JOHNSON (REG. NO. 46,204)
 PATRICIA JONES (REG. NO. 46,318)
 LAURA A. DABLE (REG. NO. 46,436)

(7)

Send Correspondence to: DANIEL D. RYAN
RYAN KROMHOLZ & MANION, S.C.
PO BOX 26618
MILWAUKEE, WISCONSIN 53226

Direct Telephone Calls to: (name and telephone number)
DANIEL D. RYAN (262) 783 - 1300

1-00

Full name of sole or first inventor WALID N. ABOUL-HOSN		X Date 11/14/02
Sole or first inventor's signature X <i>Walid Aboul-Hosn</i>		
Residence FAIR OAKS, CALIFORNIA		
Citizenship US <i>USX</i>		
Post Office Address 4625 CHICAGO AVENUE		
FAIR OAKS, CALIFORNIA 95628		

2-00

Full name of second inventor, if any WILLIAM R. KANZ		X Date 10/31/02
Second inventor's signature X <i>William R. Kanz</i>		
Residence SACRAMENTO, CALIFORNIA <i>USX</i>		
Citizenship US		
Post Office Address 4695 FRANCIS COURT		
SACRAMENTO, CALIFORNIA 95822		

3-00 Full name of third inventor, if any
JAMES W. CARTWRIGHT

Third inventor's signature *James W. Cartwright* Date *10/21/02* X

Residence
SACRAMENTO, CALIFORNIA *USX*

Citizenship
US

Post Office Address
1701 H STREET

SACRAMENTO, CALIFORNIA 95814

4-00 Full name of fourth inventor, if any
DAMIEN SHULOCK

Fourth inventor's signature *Damien Shulock* Date *10-21-02* X

Residence
SACRAMENTO, CALIFORNIA *USX*

Citizenship
US

Post Office Address
2 SPRAY COURT

SACRAMENTO, CALIFORNIA 95831

Full name of fifth inventor, if any
KELLY J. McCRYSTLE

Fifth inventor's signature *Kelly J. McCrystle* Date *X*

Residence
SACRAMENTO, CALIFORNIA

Citizenship
US

Post Office Address
1841 VALLEJO WAY

SACRAMENTO, CALIFORNIA 95818

Full name of sixth inventor, if any

Sixth inventor's signature Date

Residence

Citizenship

Post Office Address

Full name of third inventor, if any JAMES W. CARTWRIGHT
Third inventor's signature <i>X James W. Cartwright</i> Date <i>10/21/02</i> <i>X</i>
Residence SACRAMENTO, CALIFORNIA
Citizenship US
Post Office Address 1701 H STREET
SACRAMENTO, CALIFORNIA 95814

Full name of fourth inventor, if any DAMIEN SHULOCK
Fourth inventor's signature <i>X Damien Shulock</i> Date <i>10-21-02</i> <i>X</i>
Residence SACRAMENTO, CALIFORNIA
Citizenship US
Post Office Address 2 SPRAY COURT
SACRAMENTO, CALIFORNIA 95831

Full name of fifth inventor, if any KELLY L. McCRYSTLE
Fifth inventor's signature <i>X Kelly L. McCrystle</i> Date <i>11/12/02</i> <i>X</i>
Residence SACRAMENTO, CALIFORNIA <i>USX</i>
Citizenship US
Post Office Address 1841 VALLEJO WAY
SACRAMENTO, CALIFORNIA 95818

Full name of sixth inventor, if any
Sixth inventor's signature Date
Residence
Citizenship
Post Office Address

SCANNED, # 100

Docket No.
9261.16828-PCT US

Declaration and Power of Attorney For Patent Application

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INTEGRATED PUMP AND CANNULA SYSTEMS AND RELATED METHODS

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 14 JANUARY 2000 as United States Application No. or PCT International Application Number PCT/US00/01095 and was amended on _____

(if applicable)

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Prior Foreign Application(s)

Priority Not Claimed

<u>PCT/US00/01095</u>	<u>PCT</u>	<u>14/JANUARY/2000</u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
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<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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DANIEL D. RYAN (REG. NO. 29,243)

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PATRICIA JONES (REG. NO. 46,318)

LAURA A. DABLE (REG. NO. 46,436)

Send Correspondence to: **DANIEL D. RYAN**
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PO BOX 26618
MILWAUKEE, WISCONSIN 53226

Direct Telephone Calls to: *(name and telephone number)*
DANIEL D. RYAN (262) 783 - 1300

Full name of sole or first inventor WALID N. ABOUL-HOSN	
Sole or first inventor's signature	Date
Residence FAIR OAKS, CALIFORNIA	
Citizenship US	
Post Office Address 4625 CHICAGO AVENUE	
FAIR OAKS, CALIFORNIA 95628	

Full name of second inventor, if any WILLIAM R. KANZ	
Second inventor's signature	Date
Residence SACRAMENTO, CALIFORNIA	
Citizenship US	
Post Office Address 4695 FRANCIS COURT	
SACRAMENTO, CALIFORNIA 95822	

Full name of third inventor, if any JAMES W. CARTWRIGHT	
Third inventor's signature	Date
Residence SACRAMENTO, CALIFORNIA	
Citizenship US	
Post Office Address 1701 H STREET	
SACRAMENTO, CALIFORNIA 95814	

Full name of fourth inventor, if any DAMIEN SHULOCK	
Fourth inventor's signature	Date
Residence SACRAMENTO, CALIFORNIA	
Citizenship US	
Post Office Address 2 SPRAY COURT	
SACRAMENTO, CALIFORNIA 95831	

Full name of fifth inventor, if any KELLY J. McCRYSTLE	
Fifth inventor's signature	Date
Residence SACRAMENTO, CALIFORNIA	
Citizenship US	
Post Office Address 1841 VALLEJO WAY	
SACRAMENTO, CALIFORNIA 95818	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

INT'L. APPLICATION NO. PCT/US00/01095

INT'L. FILING DATE : 14 January 2000

U.S. APPLICATION SERIAL NO.: 09/889,442

PRIORITY DATE CLAIMED: 14 January 2000

TITLE OF INVENTION: Integrated Pump and Cannula Systems and Related Methods

APPLICANT(S) FOR DO/US: Walid N. Aboul-Hosn, William R. Kanz, James W. Cartwright, Damien Shulock and Kelly J. McCrystle

Box PCT
Commissioner for Patents
Washington, D.C. 20231

ATTENTION: DO/US

COMPLETION OF FILING REQUIREMENTS
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL
STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. 371

(check and complete the following item, if applicable)

☒ [x] This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. 1.494 (FORM PCT/CO/EO/905).

☒ [x] A copy of FORM of PCT/DO/EO/905 accompanies this response.

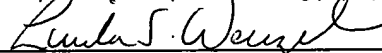
WARNING: Filing requirements, including translation of the international application, the declaration, the national fee and the payment of all the surcharge(s) in connection with the filing of these items after twenty (20) months from the priority may be met within twenty-two (22) months from the priority date. Failure to comply with these requirements will result in abandonment. The provisions of 37 CFR 1. 136 for extensions of time do not apply to the 22 month period. 37 CFR 1. 61 (b).

NOTE: The completion of the filing requirements within 22 months (instead of 20 months) from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 USC 371 (d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 CFR 1.491 which states: "An international application enters the national stage when the applicant has filed the documents and fees required by 35 USC 371(c) within the periods set forth in § 1. 494 and § 1. 495."

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith is being deposited in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 171034022 addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231, and mailed on 9 December 2002.

Linda S. Wenzel
(type or print name of person mailing paper)


Signature of person mailing paper

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1. 16(b).

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 CFR 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

WARNING Where the items being submitted to complete the entry of the international application into the national phase are subsequent to 20 months from the priority date, the application is still considered to be in the international stage. If mailing procedures are utilized to obtain a date, the express mail procedure of 37 CFR 1. 10 must be used (because international application papers are not covered by an ordinary certificate of mailing. 37 CFR 1.8(2)(xi).

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Aboul-Hosn et al.

Group No.: Unknown

Serial No.: 09/889,442

Examiner: Unknown


Filed: 12 July 2001

For: Integrated Pump and Cannula Systems and Related Methods

Commissioner of Patents
Washington, D.C. 20231

STATEMENT BY ATTORNEY THAT APPLICATION FILED IN PTO IS THE
ONE INVENTOR(S) EXECUTED BY SIGNING DECLARATION

I, Daniel D. Ryan, Registration No. 29,243, of RYAN KROMHOLZ & MANION, S.C.,
P.O. Box 26618, Milwaukee, Wisconsin 53226-0618, {(262) 783-1300} state I am an attorney for this
application and the application identified above is the application which the inventor(s) executed by
signing the declaration which is being submitted herewith.



CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith is being deposited
in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 171034022 on 9 December 2002
addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Linda S. Wenzel

(type or print name of person mailing paper)



Signature of person mailing paper

NOTE Documents and fees must be properly identified as a submission to enter the national stage under 35 USC 371. Otherwise, the submission will be considered as being made under 35 USC 111.37 CFR 1.494(b).

DECLARATION OR OATH

- I. ☒ The oath or declaration was found to be defective. Enclosed is the original declaration or oath for this application.

NOTE For surcharge fee for filing declaration after filing date, complete item IV(2).

NOTE Acceptable minimums in the declaration in an ordinarily filed U.S. application for identification of the specification to which it applies are the name of the inventor and (1) serial number, (2) attorney docket number that was on the application as Ned and the filing date, (3) title of the invention and filing date, (4) title of invention and reference to a specification that is attached to the declaration at the time of execution and filed with the declaration, or (5) title of invention and a statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration. If identification (4) is used, it must be accompanied by a statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date. Such a statement must be a verified statement if made by a person not registered to practice before the PTO. Notice of September 12, 1983 (1035 O.G. 3).

NOTE Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 CFR 1.10(c).

NOTE 37 CFR 1.41(a) points out that "Full names must be stated, including the family name and at least one given name without abbreviation together with any other given name or initial."

(complete (a) or (b), if applicable)

Attached is a

- (a) ☒ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (b) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT

(complete as applicable)

- II. ☐ An amendment in accordance with 37 CFR § 1.121 is attached.
- ☐ The attached amendment cancels claims _____ inclusively.

TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- III. ☐ Submitted herewith, is a English translation of the non-English language international application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO. (See 37 CFR 1.494(b)(2)).

NOTE: For fee for processing a non-English application, complete item IV(4).

NOTE: A non-English oath or declaration in the form provided or approved by the PTO need not be translated. 37 CFR 1.69(b).

NOTE: Unlike the filing of an *only* non-English application (37 CFR 1.52(d)), a translation of an international application entering the U.S. national phase need not be verified. 37 CFR 1.494(e). If necessary, however, a verified translation may be required. 37 CFR 1.494(e). Moreover, if the English translation is filed within 20 months from the priority date, no processing fee is required.

FEES

IV.

NOTE: The filing fees, fees for claims, and surcharge fees listed below in items 1 and 2 are reduced by 50%, where proof of a small entity status is established on or before the date the fee is paid. If the full fee was paid, but a verified statement is filed within 2 months of the date of timely payment of a fee, then the excess fee paid will be refunded on request. 37 CFR 1.28(a).

1. Fees for claims

- ☐ Each independent claim in excess of 3
(37 CFR 1.492(b)-\$84.00; Small entity-\$42.00) \$ _____
- ☐ Each claim in excess of 20
(37 CFR 1.492(c)-\$18.00; small entity-\$9.00) \$ _____
- ☐ Multiple dependent claim(s)
(37 CFR 1.492(d)-\$280.00;
small entity-\$140.00) \$ _____

2. Surcharge fees *

- ☐ Surcharge set forth in § 1.492(e), for accepting the declaration later than 20 months after the priority date in filing an application in the U.S. as a designated office
\$130.00; small entity-\$65.00 \$ _____

NOTE: The processing fee in the next item (Number 3) below is not subject to a reduction for small entity status.

3.

- ☐ Processing fee set forth in § 1.492ft for acceptance of an English translation later than 20 months after the priority date-\$130.00 \$ _____

* The surcharge was submitted to the PTO Total fees \$ -0-
on 12 July 2001.

SMALL ENTITY STATUS

(Check if Appropriate)

- V. ☒ The applicant is a Small Entity and is entitled to Small Entity Status.

EXTENSION OF TIME

(complete (a) or (b), as applicable)

VI. The proceedings herein are for a patent application. The provisions of 37 CFR § 1.136(a) apply.

(a) Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a)-(d), for the total number of months checked out below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefore.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE**VII.** The total fee due is:

Completion fee(s) \$ 40.00 (assignment recordal fee)

Extension fee (if any) \$ -0-

TOTAL FEE DUE \$ 40.00**PAYMENT OF FEES****VIII.**☒ Enclosed is a check in the amount of \$ 40.00☐ Charge Account No. _____ in the amount of _____

A duplicate of this request is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 CFR 1.22(b).

AUTHORIZATION TO CHARGE ADDITIONAL F

IX.

WARNING: Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges. Claims are authorized.

WARNING: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a request or petition for extension is filed" (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper, and during the entire pendency of this application, to Account No. 06-2360

- ☒ 37 CFR 1.492(a)(2), 1.492(a)(3), or 1.492(a)(5) (filing fees)
☒ 37 CFR 1.492(b) (presentation of extra claims)

NOTE Because additional fees for excess or multiple dependent claims not paid on filing, or on later presentation, must only be paid, or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 CFR 1.17 (application processing fees)

WARNING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a), this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a request or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).

NOTE. Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).

NOTE. 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☒ 37 CFR 1.492(e) and (f) (surcharge fees for filing the declaration and/or an English translation of an international application later than 20 months from the earliest claimed priority date).

WARNING It is suggested that you always check this last authorization.

SIGNATURE OF ATTORNEY



Reg. No. 29,243
 Telephone No.: (262) 783 - 1300

SIGNATURE OF ATTORNEY

Daniel D. Ryan

Type or print name of attorney

RYAN KROMHOLZ & MANION, S.C.

PO Box 26618

Milwaukee, Wisconsin 53226

**STATEMENT CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) and 1.27(c) - SMALL BUSINESS CONCERN**

Assignee/applicant:

A-Med Systems, Inc.
2491 Boatman Avenue
West Sacramento, California 95961

In re: US National Phase Application corres to PCT/US00/01095 filed 14 January 2000

Integrated Pump and Cannula systems and Related Methods

Inventors: Aboul-Hosn, Walid; Kanz, William R.; Cartwright, James W.; Shulock,
Damien; McCrystle, Kelly J.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

By



Daniel D. Ryan, Reg. No. 29,243

Date:

12 July 2001